

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

IN THE MATTER OF:

BARBARA G. RUSERT
Debtor

CASE NUMBER: 10-34789
CHAPTER 13

SPECIAL ORDER CONFIRMING CHAPTER 13 PLAN

At South Bend, Indiana on February 4, 2011.

On December 7, 2010, Barbara Rusert, by counsel, filed her Amended Chapter 13 Plan ("Plan").

Based on the certificate of service filed with the Plan, the Court finds that the Trustee timely served a copy of the Plan and a copy of this Court's Order fixing the last date to object to confirmation upon all creditors and parties in interest listed on the matrix.

Trustee Debra L. Miller was the only party in interest who timely filed an objection to confirmation of the Debtor's Plan. On January 27, 2011, the Court held a hearing on confirmation of the Plan at which time, Debra L. Miller, Trustee, advised the Court of an agreement that had been reached with the Debtor, thereby satisfying the Trustee's objection to confirmation.

Reviewing the Debtor's Plan and the terms of the parties' agreement, the Court concludes that the Plan, as modified, complies with all of the requirements of 11 U.S.C. §1325. The Court therefore confirms the Plan, as modified to provide that:

1. Wells Fargo Home Mortgage, the first mortgage holder on the real estate that is the Debtor's residence, has not filed a claim. Trustee reserves the right to seek to modify the mortgage if the documentation shows issues with perfection or securitization.

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Confirmation Order

2. All priority claims will be paid as allowed unless otherwise defeated.
3. All property will remain vested in the estate until dismissal or discharge.
4. Debtor's plan is a base plan and Debtor's unsecured creditors who timely file allowed claims shall be paid a pro rata portion of any remaining funds after all other creditors have been paid in full.
5. Payments shall be \$846.28 per month with \$295.30 of the payment for non-conduit mortgage payments each month. Upon notice of a monthly conduit payment change, Debtor has a duty to change her monthly payment accordingly.

All other provisions of the Debtor's Plan not in conflict with the foregoing modifications remain in full force and effect.

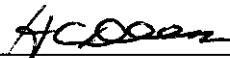
The Court further orders that the Debtor's attorney is awarded a fee of \$4,000.00 as an administrative expense under 11 U.S.C §503(b)(1)(A), of which \$3,001.00 is due and payable from the estate.

APPROVED:

/s/ Debra L. Miller
Debra L. Miller
Standing Chapter 13 Trustee

/s/ Jill M. Heiliger
Jill M. Heiliger
Attorney for Debtor

SO ORDERED.



HARRY C. DEES, JR., JUDGE
UNITED STATES BANKRUPTCY COURT